BEFORE THE BOARD OF PACIFIC COUNTY COMMISSIONERS

ORDINANCE NO. 130

COUNTY OF PACIFIC

SANITARY SEWER UTILITY ADMINISTRATIVE CODE

The Pacific County Board of Commissioners, by ordinance reproduced herein, establishes the Pacific County Sanitary Sewer Code regulating the construction and use of permanent and private sewers and drains, private sewage disposal, the installation and connection of building sewers and the discharge of waters and wastes into the public sewer system of the County, establishing connection charges and other fees, providing penalties for violations thereof, and repealing resolutions inconsistent therewith.

COUNTY OF PACIFIC

SANITARY SEWER UTILITY ADMINISTRATIVE CODE

ARTICLE 1 - ESTABLISHMENT AND DEFINITIONS

1.01 - ESTABLISHMENT - POLICY. There is hereby established a Sanitary Sewage Code for Pacific County. It is the intent and purpose of the board of county commissioners that sewer systems in the county be coordinated for future development and be constructed and maintained in accordance with uniform standards. To meet this purpose, the building of any sewage system in the county shall be in compliance with the authority established hereunder.

The board further declares that the primary means of sewage collection and disposal in urbanizing areas shall be through the construction and extension of permanent sanitary sewers and the connection of all sewage disposal systems to permanent sewer collection systems and sewage treatment plants. The construction of sewer systems shall be in accordance with any applicable Comprehensive Sewerage General Plan and with the applicable Basin Water Quality Management Plan, or Facilities Plan and with all other rules, regulations and requirements as may be prescribed from time to time by the respective agencies of Pacific County and the State of Washington.

The Board further declares that, in order to comply with RCW 36.94.030, before the establishment of an Local Improvement District, construction of a sewer project, or other commitment of county resources, a plan for such project must be formulated and approved as provided in RCW 36.94.

1.02 - OTHER APPLICABLE LAWS. In the event that federal, state or other applicable laws impose a standard or regulation that is in conflict with any provision of this code or any standard or regulation that the County may adopt pursuant to this code, the most restrictive standard shall prevail.

1.03. DEFINITION OF TERMS

(1) GENERAL. Unless the context specifically indicates otherwise, the meaning of terms used in this Code shall be as set forth in this Section. Terms not specifically defined herein shall be as defined in the latest revised publication, "Glossary Water and Wastewater Control Engineering," published jointly by the American Public Health Association, American Society of Civil Engineers, American Water Works Association and Water Pollution Control Federation.

(2) ASTM. American Society for Testing Materials.

(3) BOD. (a) Abbreviation for biochemical oxygen demand. The quantity of oxygen used in the biochemical oxidation of organic

matter in a specified time, at a specified temperature, and under specified conditions. (b) A standard test used in assessing wastewater strength. The test shall be completed in accordance with STANDARD METHODS.

(4) BUILDING SEWER. The Building Sewer is the sanitary side sewer line, connecting a single structure or more than one (1) structure from the building drain to the public sewer collection and/or trunk line located in a County road right-of-way or easement dedicated to the County, or other approved place of disposal. The building sewer including that portion called the side sewer stub is to be constructed in accordance with County approved standards but is not owned by the County and therefore shall be maintained by the property owner. This includes single family dwellings, duplexes, multiple dwellings, and commercial facilities as defined herein.

(5) CERTIFIED. To present in written formal communication attesting as being true as represented or as meeting a standard and guaranteed by signature.

(6) CESSPOOL. A lined or partially lined underground pit into which raw household wastewater is discharged and from which the liquid seeps into the surrounding soil. Sometimes called leaching cesspool.

(7) COLLECTION SYSTEM. Sanitary sewer lines, of 8-inch or larger diameters, including manholes, cleanouts, and appurtenances, whose primary function is to collect sanitary sewage from individual side sewers and transport this sewage to trunk and/or interceptor sewers.

(8) COMMERCIAL WASTEWATER FACILITIES. All facilities generating wastewater not herein defined as single, duplex or multiple dwellings shall be considered commercial wastewater facilities.

(9) CONNECTION CHARGES. Charges assessed by the County against an owner at the time the owner connects to a permanent sewer system under the provisions of this Code.

(10) COUNTY. Shall mean Pacific County, Washington.

(11) COUNTY SEWER SYSTEM CONTRACT. The form of contract required by this Code to be entered into by the County, property owner, developer, municipal corporation, sewer district and/or any other agencies requesting sanitary sewer service for property(ies) which has/have not been assessed for sewers, prior to connection to a sewer system.

(12) DEPARTMENT OF PUBLIC WORKS. A separate and independent Department of Pacific County responsible for the administration of the sanitary sewer and water utilities owned and operated by Pacific County. Also referred to herein as "Department".

(13) DEVELOPER. Any person, or the heirs, successors, or assigns of such person, who owns and/or proposes or intends to develop any lot or parcel of real property wherein there is located or is to be located any house, building or structure for human occupancy, employment, recreation or other use.

(14) DIRECTOR. The Director of the Department of Public Works or the Director's duly authorized representative.

(15) DOMESTIC WASTEWATER FACILITIES. All facilities

generating wastewater principally from single, duplex or multiple dwellings.

(16) DUPLEX. A two-family dwelling, namely a detached building containing two (2) complete living units sharing a common wall or floor with not more than two kitchens, designated and/or used to house not more than two families living independently of each other and including all necessary household functions of each such family. A duplex shall be considered two single family dwellings.

(17) EASEMENT. A legally binding agreement entitling the County to construct, repair and/or connect sewer facilities located on private property; or, an agreement between two separate owners, for the purpose of mutual wastewater discharge, to construct sewer facilities on property owned by one owner or the other or both.

(18) EFFLUENT. Wastewater that has been treated to remove wastes and is discharged from treatment facilities.

(19) FUTURE EXTENSION AREA. An identified future service area where permanent sanitary sewer facilities are to be constructed according to any county sewer development plan within the next five years.

(20) GOVERNMENTAL ENTITY. The organization or agency through which a separate and independent political body exercises authority including but not limited to cities, towns, counties, water and sewer districts and other municipal corporations.

(21) GARBAGE. The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods. It is composed largely of putrescible organic matter and its natural moisture content.

(22) INDUSTRIAL WASTES. The wastes from industrial processes, as distinct from domestic or sanitary wastes.

(23) - LARGE RESIDENTIAL DEVELOPMENT. Any development which includes more than four residential living units.

(24) - MULTIPLE DWELLING. A building designed and/or used to house three or more families living independently of each other in separate living quarters that share common walls, floors and/or ceilings and including all necessary household functions of each such family.

(25) MUTUAL MAINTENANCE AGREEMENT AND EASEMENT. A legally binding agreement between two or more owners for the purpose of connecting two (2) or more structures to a single building sewer located on private property and specifying for the mutual maintenance of the single building sewer by said property owners.

(26) - NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

(27) - NATURAL WATERCOURSE. A surface or underground watercourse created by natural agencies and conditions.

(28) - OWNER. The lawful and legal owner of a lot or parcel of land (delineated by parcel number) under single ownership also noted on County Assessor/Treasurer property rolls as the taxpayer.

(29) - PERMIT. Written authorization from the Director granting the owner permission to make the required building sewer connections to the side sewer stub or to make repairs, alterations,

disconnections, caps, or any other sewer construction or repair stipulated in this Code.

(30) - PERSON. Any individual or commercial entity, company, association, society, corporation, partnership or group.

(31) - pH. The reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7}. The test shall be completed in accordance with STANDARD METHODS.

(32) - PACIFIC COUNTY BOARD OF COMMISSIONERS. Those duly elected individuals serving as the Legislative Body of Pacific County. Also referred to herein as the "Board".

(33) - PACIFIC COUNTY SEWERAGE SYSTEM. The system of conduits, pumps, treatment plants, and structures located on County owned property or in public road rights-of-way or on easements dedicated to the County used for the purpose of conveying from their source, treating in any manner, and conveying to final points of disposal, all wastes of any nature permitted by this Code to enter said system. Specifically included as integral parts of the system are all conduits of any nature forming a part of the general network of conduits or connected directly or indirectly to said network, all pumps, wastewater treatment plants and structures of any kind used in connection with the collection, treatment and disposal of the wastes handled by the system, all appurtenances to any of the above, either physically or functionally connected therewith. Sanitary Sewers, as defined below, are included as part of the Pacific County Sewerage System. "Building sewers" and "side sewer stubs" as defined herein are not part of the County system and are operated and maintained by the owner.

(34) - PLUMBING OUTLET. The part of the lowest horizontal piping of a drainage system of a structure that receives waste from other drainage pipes inside the walls of a structure and conveys it to a building sewer. The building sewer begins twenty-four (24) inches from the outer face of the outside building wall.

(35) - PREMISES. A continuous tract of land, building or group of adjacent buildings under a single ownership.

(36) - PRIVATE SEWER FACILITIES. Any sanitary sewer facility including building sewers, constructed within the limits of property privately owned including but not limited to collection lines, trunk sewers, lateral sewers, pump stations, force mains and appurtenances. Side sewer stubs as defined herein and located within public rights-of-way or perpetual easements owned by Pacific County shall be operated and maintained by the private property owner.

(37) - PRIVY. A building, either portable or fixed directly to a pit or vault, equipped with seating and used for excretion of bodily wastes.

(38) - PRIVY VAULT. A concrete or masonry vault that is provided with a cleanout opening and over which is placed a privy building containing seats.

(39) - PROPERLY SHREDDED GARBAGE. Garbage which has been shredded to such degree that all particles will be carried freely

under the flow conditions normally prevailing in public sewers, with no particle greater than 1/4 inch in any dimension.

(40) - PUBLIC SEWER FACILITIES. Any sanitary sewer constructed within a public right-of-way or perpetual easement owned by Pacific County including but not limited to collection lines, trunk sewers, lateral sewers, side sewer tees, pump stations, force mains, and appurtenances. "Building sewers" and "side sewer stubs" as defined herein are not part of the County system and are operated and maintained by the owner.

(41) - PURCHASER. Any person, or the heirs, successors or assigns of such person, who purchases and/or leases any house, building or structure; or one or more units in a subdivision or multiple housing projects, from a developer as herein defined.

(42) - REGISTERED PROFESSIONAL ENGINEER. Any individual or corporation holding a currently valid license to practice engineering in the State of Washington.

(43) - REGISTERED BUILDING SEWER CONTRACTOR. Any contractor who is duly registered pursuant to the requirements of this Code to construct, install, repair, reconstruct, excavate, or connect any building sewer and side sewer stub to the public sewers of the County.

(44) - SANITARY SEWAGE. Wastewater derived from domestic, commercial, and industrial wastes.

(45) - SANITARY SEWER. A sewer which carries sanitary sewage.

(46) - SEPTIC TANK. A settling tank in which settled sludge is in immediate contact with the wastewater flowing through the tank and in which the organic solids are decomposed by anaerobic bacterial action.

(47) - SERVICE AREA. That area, as defined by the County, which for the purpose of this Code would be the area for extension of sewer service under a ULID, Developer's Extension, or County Extension, as defined by a comprehensive plan for the area or natural topography.

(48) - SEWAGE. Term now being replaced in technical usage by the preferable term of "Wastewater", and for the purpose of this Code shall be considered synonymous.

(49) - SEWER LINE EXTENSION.

a) The construction, upgrading, and/or extension of existing sewer facilities located in public rights-of-way or easements conveyed to the County, or

b) The construction, upgrading, and/or extension of existing sewer facilities located on private property serving four (4) or more structures or exceeding a length of four hundred (400) feet.

Sewer line extensions located on private property shall be operated and maintained by the owner including the side sewer stub as defined herein. Gravity building sewer lines over four hundred (400) feet in length serving one (1) single family dwelling are exempt from this definition.

(50) SYSTEM OF SEWERAGE Includes sanitary sewage disposal sewers and facilities, including without limitation on-site or off-site sanitary sewerage facilities consisting of an approved septic

tank or septic tank systems or any other means of sewage treatment and disposal approved by the county.

(51) - SHALL - MAY. "Shall" is mandatory, "May" is permissive.

(52) - SIDE SEWER STUB. A sanitary sewer constructed from a lateral or trunk sewer to a property line, or edge of a perpetual easement of a property being served. The side sewer stub shall be considered part of the "Building Sewer" and shall be maintained by the owner.

(53) - SIDE SEWER TEE. The point at which the side sewer stub joins the public sewer.

(54) - SINGLE FAMILY DWELLING. Any building designed and/or used to house a single family and shall include mobile homes on individual lots whether owned collectively or individually in mobile home courts, condominiums or townhouses.

(55) - STANDARD BIOCHEMICAL OXYGEN DEMAND. Biochemical oxygen demand as determined under standard laboratory procedure for 5 days at 20 centigrade. The test shall be completed in accordance with STANDARD METHODS.

(56) - STANDARD METHODS Refers to the most recent publication of Standard Methods for Examination of Water and Wastewater, prepared by the American Public Health Association, American Waterworks Associations, and Water Pollution Control Federation.

(57) - STORM DRAIN. Those drainage pipes which are designated to carry surface drainage water and other such storm waters as are not permitted to be disposed of through the sanitary sewer system, in accordance to the provisions of this Code.

(58) - STRUCTURE. Anything constructed erected or placed, the use of which requires location or attachment to something having location on the ground, and shall in addition, include but not be limited to trailers, mobile homes and house trailers, but shall not include fences and retaining walls.

(59) - SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and which are largely removable by laboratory filtering. Also referred to herein as "SS"

(60) - UNPOLLUTED WATER. Water in its natural state, or water which, after use for any purpose, is not substantially changed as to chemical or biochemical qualities.

(61) - UTILITY LOCAL IMPROVEMENT DISTRICT (ULID). A special district (geographic area) established by the County for the purpose of providing wastewater or water facility improvements, and within which all properties benefitting from those wastewater or water facility improvements will be assessed a special levy to pay all or a portion of the cost of those improvements.

(62) - WASTEWATER FACILITIES. The structures, equipment, and processes required to collect, transport, and treat domestic and commercial wastes, and dispose of the effluent and waste by-products.

(63) - WASTEWATER TREATMENT PLANT. Any arrangement of devices and structures used for treating wastewater collected by the County. See WASTEWATER FACILITIES.

(64) - WATERCOURSE. (a) A natural or artificial channel for passage of water. (b) A running stream of water. (c) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some other stream or body of water.

ARTICLE 2
ADMINISTRATION

2.01 - DEPARTMENT OF PUBLIC WORKS. Pursuant to Pacific County Resolution dated September 2, 1969, the Department of Public Works has been established as a completely independent department within the government of Pacific County. This department is under the management of the Director of the Department of Public Works. This department has the responsibility for the construction, maintenance and operation of sewer utility facilities owned by Pacific County.

2.02 - DIRECTOR - RESPONSIBILITIES AND LIMITATIONS. The Director shall be the administrator of Pacific County's Department of Public Works and all instructions and decisions made by the Director shall be binding. Where this Code requires approval by, permission or decision of, or instructions from the Director, the Director shall be guided by current County Resolutions, Ordinances and Policy as well as by generally recognized engineering standards and practices. The Director shall also be guided by current applicable state and federal laws and regulations.

2.03 - INTERDEPARTMENTAL COOPERATION AND AGREEMENTS. The Director may, insofar as practicable, make use of services of the other county departments, offices, and agencies. Interdepartmental agreements between the Department of Public Works and other departments of the County, may be authorized when necessary.

2.04 - AUTHORITY TO CONSTRUCT AND OPERATE. The Department of Public Works may construct, operate and maintain the Pacific County Sewerage System, including collection systems and treatment facilities, for the collection and treatment of wastewater.

2.05 - CONTRACTS - GENERAL. The Department of Public Works may enter into contracts with entities such as an existing water and/or wastewater district, municipal corporation, other government agency, political subdivision, person, or commercial entity for the discharge of wastewater into or collection of wastewater out of an existing sanitary sewer system of said entity(ies), or for the establishment, construction, maintenance and/or operation of all or part of a new or existing system of sewer facilities. The Director shall not be authorized to obligate the County to any such contract, but shall perform all preparatory work necessary prior to presentation of such proposed contracts to the Pacific County Board of Commissioners for execution.

Such contracts include but are not limited to the following types.

(1) Contracts with such entities whereby Pacific County agrees to establish, construct, maintain, or operate all or a portion of a system or systems of sewerage for such other entity or person;

(2) Contracts with such entities where such other person or entity agrees to establish, construct, maintain, or operate all or a portion of a system or systems of sewerage for Pacific County,

(3) Contracts with such entities whereby Pacific County may utilize for any lawful purpose all or any portion of a system of sewerage owned and/or operated by such other entity or person; and

(4) Contracts with such entities wherein such other entity or person may utilize all or a portion of Pacific County's system of sewerage for any lawful purpose.

(5) Contracts with owners of real estate, wherein such owners agree to construct off-site sewerage facilities, or any portion thereof, or appurtenances thereto.

2.06 - CONTRACTS WITH PROPERTY OWNERS OR DEVELOPERS TO OBTAIN PUBLIC SEWER SERVICE. Property owners or developers may contract with the County to obtain public sewer service by connecting to existing Utility Local Improvement Districts, by connecting to other existing sewer facilities or by the construction and/or extension of existing public facilities. Said contract shall be executed by the property owner or developer and shall require approval by the Board of County Commissioners. The contract shall be recorded at the office of the Pacific County Auditor and shall constitute a covenant running with the land and shall bind the property and all future owners thereof. Hereinafter, this contract shall be referred to as a "County Sewer Systems Contract."

2.07 - REVIEW, INSPECTION, AND CONSTRUCTION OF SEWER FACILITIES BUILT BY A PROPERTY OWNER OR DEVELOPER.

(1) Prior to the construction, installation and operation of any public sewer facility or any private sewer facility governed by the provisions of this Code, the Department of Public Works shall require owners, developers or other entities responsible for the construction to submit Sewer Facility Plans to the Director for approval, and obtain a Building Sewer Permit and pay all required fees and charges. Sewer Facility Plans required by this Code shall conform to Pacific County Standards and Requirements and include information of sufficient scope and detail so as to allow the Director to make a determination that the plans and specifications meet the minimum requirements of the County.

(2) The Department shall conduct reviews of Sewer Facility Plans prior to commencement of construction and conduct inspections of said sewer facility installation prior to operation to ascertain whether the installation complies with the approved Sewer Facility

Plan and all other requirements, standards and provisions of this Code.

(3) The Department will conduct or require the entity responsible for the construction to conduct a television inspection of all lines installed by the owner. If defects are discovered by the County, the party responsible for the construction will be responsible for incurring all costs for repairing all defects and retelevising the lines after the defects have been resolved.

2.08 - AUTHORIZATION OF INSPECTION OF EXISTING SEWERS AND APPURTENANCES.

(1) The Director shall be authorized to enter upon premises served by any building sewer or connected with any public sewer at all reasonable hours to ascertain or make necessary tests as to whether the provisions of local, state and federal laws relative to sewerage have been complied with.

(2) In the event that entry is refused, necessary steps shall be taken to make application for a search warrant to accomplish the appropriate inspection.

(3) If said sewer, or its attachments, are in conflict with the provisions of any law or resolution in regard thereto, the owner of said premises, or his agent, shall be notified to cause said sewer or its attachments to be so altered, repaired or reconstructed at the owner's expense, so as to make them conform to the requirements of the laws and resolutions within a reasonable time limit established by the Director from the time of receipt of such notice.

2.09 - SEWER UTILITY FUNDS. The County shall by separate resolutions/ordinances create the necessary Sewer Utility Funds to properly account for any and all revenues received for the use of sewers as set forth herein, from revenues received from the sale of by-products from the wastewater treatment plant or from any other source for rental, or services rendered by such utility. All expenses for the administrative development, construction, operation, maintenance and repair of the Pacific County Sewer System shall be charged to said funds.

ARTICLE 3
REQUIRED USE OF PUBLIC SANITARY SEWERAGE SYSTEMS

3.01 - TREATMENT OF WASTEWATER REQUIRED. It shall be unlawful to discharge into any natural outlet within the County, or onto any land or body of water within the exterior boundaries of the County, any sewage, wastewater, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with State and Federal Regulations or the provisions of this Code.

3.02 - PROPERTY REQUIRED TO CONNECT TO PUBLIC SEWER.

(1) The owner of any dwelling or structure used for human

occupancy, employment, recreation or other purposes situated within a Utility Local Improvement District, or on any portion of a lot or parcel located within a horizontal plane of three hundred (300) feet of any portion of the Pacific County Sewerage System, is hereby required, at his/her expense, to connect all onsite general facilities (private sewer facilities) directly with the sewage collection system, either by gravity or with approved pumping facilities.

(2) To obtain a waiver of this connection requirement, the owner must provide, in writing, a statement from the appropriate agency that administers sewage collection in the 300 foot radius of the said property, indicating that sewage collection is unavailable.

(3) The owners of properties located outside the boundary of a Utility Local Improvement District (ULID), but which are required to connect to the public sewer, shall be required to execute a County Sewer System Contract with the County, submit to the Department of Public Works any required Sewer Facilities Plan(s), obtain a Building Sewer Permit and pay all applicable charges and fees and take any other action required by the provisions of this Code.

(4) All new construction of single or multifamily residences or commercial structures which occurs after the effective date of this ordinance will be required to connect to the Pacific County Sewerage System, if the property in question meets the other requirements of this section.

3.03 - DESIGNATED FUTURE EXTENSION AREAS. Parcels of property not located within a service area where connection to permanent wastewater facilities is required, but which are located in an identified future extension area, shall install dry building sewer facilities in accordance with Department design criteria or plans. Such sewer facilities shall be designed so that the facilities will be able to be successfully integrated with the planned sewage system.

3.04 - EXEMPTION OF EXISTING SYSTEMS. When the Department or a Developer extends permanent sewer service into an area not included within the Boundaries of a Utility Local Improvement District (ULID), existing structures within the 300 foot connection area with approved septic systems will not be required to connect to the new sewer system unless the owners of such structures voluntarily elect to connect to the system and pay all fees and connection charges.

3.05 FAILING SEPTIC SYSTEMS If septic tank systems serving existing structures within a required connection area fail however, then the owners of such existing structures shall be required to connect to the public sewer system, within the ninety day notice period, at their own expense, and pay all fees and connection charges.

3.06 - ADDITIONAL EXEMPTIONS. Additional exemptions from any

of the provisions of this section may be granted only by a decision of the Board of Commissioners. Such requests for such exemptions shall be in writing and include but not be limited to the following: 1) applicant's name and address, 2) reason for the request, 3) map of applicant's property including location of nearest existing sanitary sewer system, 4) legal description of property including parcel number, and 5) cost documentation excluding sewer connection charges.

3.07 - PRIVATE SEWAGE DISPOSAL.

(1) Where a public sanitary sewer is not available under provisions of this Code, all building sewers must be connected to a private sewage disposal system.

(2) Private sewage disposal systems shall comply with Pacific County Ordinance 117.

3.08 - CONNECTION OF NON-ASSESSED PROPERTY. The owners of property which have not been subject to special assessments for sewers by the County who connect structures on that property to the public sewers of the County will be required to pay a connection charge and enter into a County Sewer Systems Contract.

3.09 TIME PERIOD FOR REQUIRED CONNECTIONS. Pursuant to this Code, any owner of each lot or parcel of real property required to make a connection to a public sewer shall make such connection, within ninety (90) days after the date written notification of public sewer availability is mailed from the Director to the owner of record listed as the tax payer on the County Assessor/Treasurer records of the property to be serviced.

3.10 - COMMERCIAL WASTES - CONTROL MANHOLE. When required by the Director, the owner of any property served by a building sewer carrying commercial or industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be fully accessible and safely located, and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times to the Director.

3.11 - PRETREATMENT OF SEWAGE.

(1) When, at any time, it becomes necessary or desirable to discharge into the Pacific County sewer system any matter from any existing or proposed facility which does not conform to the standards as prescribed in the most current Pacific County Department of Public Works "Unlawful Wastes and Pretreatment Requirements", the owner(s) of such facilities shall hereby be required to pretreat such matter at owner(s) expense to a degree that will produce an effluent which will conform to the standard

outlined therein and as amended from time to time or as prescribed and interpreted by the Director.

(2) Such pretreatment shall be understood to include grease traps, chemical or biochemical plants, sedimentation chambers and any devices which effect a change of any nature in the characteristics of the matter being treated. Any and all such devices and equipment shall be subject to the approval of the Director and the Washington State Department of Ecology and shall not be put into operation nor revised in any manner without written permit or approval issued by the Director, the Washington State Department of Ecology and other approving governmental agencies. (Any such device other than a grease trap requires approval from other governmental entities.) Said devices and equipment shall be provided with all necessary features of construction permit inspection of operations and testing of material passing through them and shall be open to the inspection of the Director at anytime. Written approval from the Director and other governmental agencies for such pretreatment facilities shall not guarantee that the pretreatment facility will operate as designed; the owner and/or the owner's engineer will assume this liability.

(3) New plans and specifications and other pertinent information relating to proposed preliminary treatment facilities shall be prepared by a licensed professional engineer and shall be submitted for the approval of the Director and of the State of Washington, Department of Ecology and Department of Social and Health Services, Division of Health when required by law. No construction of preliminary treatment facilities shall be commenced until such approvals are obtained in writing. Any expenses incurred by the County in reviewing such plans, specifications and information shall be paid by the property owner or owner's representative before the County's approval shall be granted.

(4) All approval procedures, planning and design specifications, charges, fees and other requirements relating to pretreatment facilities shall conform to the provisions outlined in the most current Pacific County Department of Public Works "Unlawful Wastes and Pretreatment Requirements."

3.12 - PRETREATMENT FACILITIES - OPERATION AND MAINTENANCE. When pretreatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense. The owner shall also submit to the Director certified monthly operational records and tests to monitor the performance of the pretreatment facilities.

3.13 - DETERMINATION OF CHARACTER OF WASTE MATTER. Before any matter of any nature which discharge might reasonably be considered a violation of this ordinance, may be discharged into the sanitary sewer system, the controlling characteristic of such matter shall be determined to the satisfaction of the Director. The responsibility of initiating such determinations of any costs involved and of submitting the results of said determinations to the Director for approval, lie solely with the party or parties desiring to discharge

the matter into the sanitary sewer system. Verification of these results and the decision as to whether or not a permit shall be issued, shall be the responsibility of the Director. The fact that any matter has been discharged into the sanitary sewer system prior to the passage of this Code or subsequent thereto, but without any objection from the Director, does not constitute a valid right to discharge such matter. If, upon discovery by the Director at any time that any matter being discharged into the sewer does not conform to the requirements of this Code, the Director may immediately order the stoppage of the discharge of such matter into the sanitary sewer system and/or termination of sanitary sewer service to the discharging property.

3.14 - TESTS OF WASTES AND LOCATION OF SAMPLING. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 4.04, 4.07, 4.08 and 4.09 of this Code shall be determined by analysis of the samples obtained at a control manhole or other location as approved by the Director. Such tests and analyses shall be performed by an appropriately certified independent testing laboratory and shall be conducted at the sole expense of the owner.

ARTICLE 4
SEWERAGE DEVELOPMENT

4.01 - UTILITY LOCAL IMPROVEMENT DISTRICT - ESTABLISHMENT. Pacific County shall have the power to establish Utility Local Improvement Districts (ULID) for the purpose of constructing, operating, maintaining or reconstructing sewer systems, by the method and manner prescribed by Title 36, Chapter 94 of the Revised Code of Washington within the area of a sewerage and/or water general plan and to levy assessments and service fees to pay in whole the cost of any improvements or the operation and maintenance of such improvements.

4.02 - CONNECTION OF NON-ULID PROPERTIES TO AN EXISTING COUNTY OPERATIONAL SEWER SYSTEM. Property owners desiring sanitary sewer service by the connection of property to an existing operational Utility Local Improvement District/sewer line extension may do so by the execution of a County Sewer Systems Contract with the Department of Public Works and subject to approval by the County Board of Commissioners and provided that:

(1) The capacity in said existing facilities which is determined by the Director, is sufficient to accommodate the sewage generated by the added development.

(2) The added service can be provided upon the condition that the overall total cost to the original Utility Local Improvement District users shall not cause an increase in the unit cost to the original participants.

(3) The property owner consents to pay the connection charges for said property.

4.03 - PRIVATE OPERATION OF PUMPING FACILITIES. Pumping facilities installed on private property by and at the expense of a property owner which are utilized to connect private systems to the public sewage system, shall be operated and maintained by the property owner. No pumping facility will be permitted to serve more than three (3) separate dwelling units unless it contains two (2) pumps. The private pumping facility and force main will be permitted to serve only those structures located on a single parcel of property (owned by a single individual).

4.04 - DEVELOPER'S SEWER LINE EXTENSION FACILITIES. Property owners or developers of property electing to obtain sewer service by the construction and extension of existing public facilities may do so provided:

(1) The capacity in said existing facilities, as determined by the Director, which is to be paid for immediately and allocated on a first-come first-served basis, is available in an amount to sufficiently accommodate the sewerage generated by the added development.

(2) The proposed facility is to be constructed in accordance with the applicable Comprehensive Sewerage General Plan.

(3) The sewer line extension is built to County design criteria and construction standards.

(4) The property owner or developer agrees to the requirements for privately constructed sewer line extension facilities and executes a County Sewer Systems Contract.

(5) The property owner or developer agrees to pay to the County, in addition to any other charges which may be due, an amount of money which shall constitute Connection Charges and a Plan Review Fee and an Inspection Fee.

(6) Property owner uses the capacity purchased within eighteen (18) months of the purchase date and agrees to pay the monthly sewer service charges generated by the total amount of purchased capacity after twelve (12) months of the purchase date.

(7) Property owner agrees that in the event that monthly sewer service charges and/or any assessments are not paid within twenty-four (24) months of the purchase date the property owner shall forfeit all funds and capacity associated with the capacity purchase and that the purchased capacity shall then revert back to the County and be made available for resale by the County only to other property owners.

(8) The property owner and future assignees understand that the County reserves the right to increase the Connection Charge and Monthly Sewer Service Charge if future flows, BOD or SS are found to be greater than the limits established in the most current Pacific County Department of Public Works "Unlawful Wastes and Pretreatment Requirements of this Code;" and also if the

limits are greater than estimated at the time of the capacity purchase, the property owner and future assignees agree to pay the increased charges on notice from the County.

4.05 - CONVEYANCE OF PRIVATELY BUILT PUBLIC SEWERS TO THE COUNTY. Any private sewer may be dedicated to the County and thereafter shall be considered a public sewer under the jurisdiction of the County subject to acceptance by the County and provided that:

(1) The conveyor grants the county a right of way or an easement in a form acceptable to the Department of Public Works for the purpose of providing access to the dedicated sewer.
(2) All charges, inspection fees and other payments due to the County as provided for in Articles 7 and 9 of this Code shall be paid and, if applicable, a County Sewer Systems Contract shall be executed together with duly executed and acknowledged easements for all portions of said system located on private property, all at no cost to the County.
(3) Prior to the County accepting such a conveyance the owner(s) and/or developer(s) of said system shall certify that said system as constructed complies to the County design criteria and construction standards as required under Section 2.08 of this Code; and that
(4) Upon completion of installation, said sewer system shall be conveyed to the County free and clear of all liens or encumbrances.

4.06 REIMBURSEMENT AGREEMENT. If a property owner or developer is required by the County to construct a public sewer system with capacity in excess of that required by law to serve his/her property or development (8-inch and larger diameter pipe), and the owner conveys the sewer system to the County under the provisions of this section, the County may at the discretion of the Director enter into a Reimbursement Agreement with the owner or developer to credit a part of the value of such excess capacity against the owner or developer's obligation to pay any charges imposed by the Department of Public Works. If the credit value of the excess capacity exceeds the owner's charges, the County, at the discretion of the Director, may reimburse on an annual basis, the additional monies as other property owners connect to the sewer line extension.

ARTICLE 5
CONSTRUCTION OF SANITARY SEWER SYSTEMS

5.01 - DESIGN CRITERIA AND CONSTRUCTION STANDARDS. The Department shall ensure that sewer facilities design and construction standards satisfy the standards of the most current Department Design and Construction Specifications, as amended from time to time by the Department Sewer Supplement, or as prescribed

and interpreted by the Director

5.02 CONNECTION TO PUBLIC SEWERS. All connections to the public sewers of the County shall be made in a permanent and sanitary manner in accordance to the provisions of this Code and shall be sufficient to carry all the wastewater of every kind from the building or structure into the public sewer.

5.03 REPAIRS TO CONNECTIONS. For assessed properties or for properties/owners that have executed a County Sewer System Contract, any needed repair to a building sewer or connection to a public sewer shall be made within thirty (30) days after the date of mailing or personal service of a notice by the Director to the owner of the property served notifying such owner to make such repair. In the event of an emergency, the Director may establish a shorter period of time for the repair to be made or, if the owner cannot be located or does not promptly make such repairs, the County may make the repairs under the procedures of this Code.

5.04. CONNECTION STANDARDS

(1) Old building sewers may be used in connection with new buildings, or new building sewers only when they are found to meet all the requirements of this Code.

(2) The building sewer shall conform to all County and State building codes and/or with the manufacturer's recommended practices, which ever is more restrictive.

(3) Connections between dissimilar pipe materials shall be by adapters approved by the Director. The first fitting at the connection of the building sewer to the public sewer service connection shall be a tee, furnished by the owner. Immediately after installation of the tee, an expandable watertight plug shall be installed in the tee branch connected to the public sewer. Said plug shall remain in place during construction and testing of the building sewer. After the plug has been removed, the tee riser shall be extended vertically to within 6" to 18" of finished ground surface and shall be sealed with an approved cap or plug. The riser shall be used as an auxiliary cleanout.

(4) The size and slope of the building sewer shall be subject to the approval of the Director, but in no event shall the diameter be less than four inches. The slope of said four inch pipe shall not be less than one-quarter (1/4) inch per foot, unless approved by the Director. In no case shall the slope of 4-inch pipe be less than one-eighth (1/8) inch per foot. A minimum of 18" of cover shall be maintained over the top of service pipe at all times.

The building sewer shall be laid at uniform grade and in a straight alignment insofar as is possible. Changes in direction shall be made only with curved pipe no greater than "45-degree bends". All pipe shall be laid on a 4-inch granular base of a 3/4-minus rock, pea gravel, sand or combination thereof.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings

in which any building drain is too low to permit gravity flow to public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(5) All excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by the Director. No backfilling of the trench shall be done until receipt of written approval from the Director.

(6) All joints and connections shall be made gastight and watertight.

(7) The applicant for building sewer permit shall notify the Director when the building sewer is ready for inspection and connection to the public sewer. After final approval and testing of the building by the Director, the owner shall make the final connection to the building drain, unless otherwise authorized by the Director. A 30-minute internal hydrostatic test will be required on all building sewers before connection is made to the building drain. All water plugs and other facilities for making the test shall be furnished by the applicant. Minimum head over the top of the pipe shall be two feet and a maximum allowable leakage shall be four gallons per hour per 100 feet.

(8) No person shall be allowed to make connections of private sewers to the sewage works of Pacific County on behalf of any owners of property therein without first posting with the County a bond in an amount acceptable to the Department of Public Works.

(9) Any structure having a plumbing outlet that serves fixtures with flood level rims located below the elevation of the next upstream manhole cover shall install an approved backwater valve.

5.05 - INFORMATION FROM THE COUNTY. The owner of any building shall be responsible for obtaining from the Director the approximate location and elevation of the sewer wye, tee or stub at the point of connection and, in the case of new construction, for planning the building and plumbing to provide adequate slope for building connection to the side sewer stub. The applicant for permit shall be responsible for determining the available grade between plumbing outlet and sewer wye, tee or stub. All department supplied information shall be field checked by the owner/developer or his/her representative prior to design and/or commencing construction. The County is not liable for inaccurate information provided to the County.

5.06 - PLAN REVIEW AND INSPECTION OF SEWER LINE EXTENSIONS.

(1) The Director shall require the property owner to submit to the Director for his approval, a Sewer Facilities Plan prepared by a registered professional engineer for any new construction and/or extensions of privately owned sanitary sewer systems and/or connections to the public sanitary sewer.

(2) Single family residences, individual duplexes, or three or less structures located on a single parcel served by an individual connection and which are not part of a large residential development

are exempt from this requirement. All other new sewer construction, extensions of, and/or connections to the public sewer system shall be considered sewer line extensions and be required to comply to the provisions of this section.

(3) Plans shall conform to standards and requirements described in the most current Pacific County Department of Public Works Design and Construction Standards.

(4) The property owner shall pay to the County, at the time the owner or the owner's representative submits plans for review, the minimum sum required for a Plan Review Fee and an Inspection Fee as set forth in this Code.

(5) Inspection of construction shall be made by the Director to ascertain that the installation meets all the requirements of the approved plan and complies with the standards of the County as prescribed in this Code.

(6) Approval by the Director shall be required prior to connection to the public sewer.

5.07 - SEWER LINE EXTENSION AND BUILDING SEWER DESIGN AND CONSTRUCTION REQUIREMENTS. Design and construction standards and requirements for both sewer line extensions and building sewers shall conform to the requirements outlined in the most current Pacific County Department of Public Works Design and Construction Standards.

5.08 - REQUIRED CONTRACTOR REGISTRATION FOR SEWER LINE EXTENSIONS. To assure proper construction in the connection of sewer line extension(s) to the public sewers of the County, no person may construct, install, repair, reconstruct, excavate, or connect a sewer line extension to the public sewers of the County, unless the person is a building sewer and sewer line extension contractor holding a valid unsuspended current Certificate of Registration issued by the Department of Licenses of the State of Washington pursuant to Title 18, Chapter 27, Revised Code of Washington. The contractor shall be registered with the Pacific County Department of Public Works and shall have filed with Pacific County a currently valid Street Obstruction Bond.

5.09 REVIEW OF PRIVATE PUMPING FACILITIES. Plans and specifications of private pumping facilities designed by a licensed professional engineer retained at the expense of the owner must be submitted to the County for review and approval. County approval of the pumping facilities shall not guarantee that the pumping facility will operate as designed by the owner's engineer; the owner and/or his/her engineer will assume this liability.

5.10 - COSTS OF BUILDING SEWER OR SEWER LINE EXTENSION BORNE BY OWNER. All costs and expense incidental to the installation, connection, maintenance, cleaning, repair and/or addition to or of the building sewer or sewer line extension shall be borne by the owner. This responsibility includes paying all costs incidental to

the aforementioned activities performed on all segments of the sewer or sewer line extension and including but not limited to side sewer stub, sewer tee, sewer wye and all other sewer appurtenances.

5.11 - MUTUAL MAINTENANCE AGREEMENT AND EASEMENT. If it is determined that a special condition(s) requires more than one separately owned residence to be served by a single building sewer, written authorization to do so must be obtained from the Director after the owners of said properties have entered into a Mutual Use Agreement. This document, assuring that all properties involved shall have perpetual mutual easements for the building sewer, and having provisions for mutual maintenance and access for repair purposes, shall be signed by the recorded owners and acknowledged and recorded with the County Auditor, and copy thereof furnished to the Director prior to the issuance of a permit for the approval of the building sewer.

5.12 - REUSE OF OLD BUILDING SEWERS. Old building sewers, including septic tank lines, may be used only when they are found, on examination and test by the Director to meet all requirements of this Code. This examination and test shall be at the owner's expense. The owner or his/her agent shall demonstrate to the Director that no connection to such building sewer or septic tank line exists which conveys any material prohibited by the most current Pacific County Department of Public Works "Unlawful Wastes and Pretreatment Requirements."

5.13 - PROTECTION OF EXCAVATIONS AND RESTORATION OF PUBLIC PROPERTY. All excavations for building sewer or sewer line extension installations shall be adequately guarded with barricades and lights in accordance with State and County requirements so as to protect the public from hazard. Street, sidewalk, parkways and other public property disturbed in the course of the work shall be restored to original condition or better.

ARTICLE SIX - PERMITS

6.01 - PERMITS REQUIRED. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof or construct any sewer disposal system without first obtaining a written permit from the Department or other responsible agency.

6.02 - BUILDING SEWER PERMITS. There shall be two classes of building sewer permits: (1) for residential, single family and multifamily service; and (2) for nonresidential service. In either case, the owner or his agent shall make application on a special form furnished by Pacific County. A Building Sewer Permit shall be required of any owner of a lot(s), parcel of real estate or

structure(s) either required or electing to make a connection to a public sewer or make a modification, repair, disconnection, inspection or addition to an existing building sewer or sewer line extension, who is not required to submit a sewer line extension plan. Permit application shall be supplemented by plans, specifications or other information considered pertinent in the judgment of the Director. The appropriate permit and plan check fee shall be paid to the county at the time the application is filed

6.03 SEWER LINE EXTENSION PERMITS. A Sewer Line Extension Permit shall be required of any owner of a lot(s), parcel of real estate or structure(s) either required or electing to make a connection to a public sewer or make a modification, repair, disconnection, inspection or addition to an existing building sewer or sewer line extension, who is required to submit a sewer line extension plan. The owner or his agent shall make application for a Sewer Line Extension Permit on a special form furnished by the County. The permit application shall be supplemented by the plan required by the Code. The appropriate permit and plan check fee shall be paid to the county at the time the application is filed

6.04 - BUILDING SEWER OR SEWER LINE EXTENSION PERMIT-TERM AND FEE. A Building Sewer or Sewer Line Extension Permit is valid for six (6) months from the date of issuance. If a Building Sewer or Sewer Line Extension Permit expires but the owner still wishes to connect to a sewer, a new permit shall be obtained and the County shall collect another full Permit Fee. If a Building Sewer or Sewer Line Extension Permit is canceled by the owner, the full Permit Fee shall be forfeited.

6.05 - BUILDING SEWER OR SEWER LINE EXTENSION PERMITS REQUIREMENTS. Building Sewer or Sewer Line Extension Permits shall be obtained in the following manner:

(1) Permits shall be issued only upon proper application to the Pacific County Department of Public Works.

(2) A permit which authorizes work in a public right of way or easement dedicated to Pacific County or the connection with or opening into any public sewer other than through the normal opening of a wye, tee or side sewer stub shall be issued to a Registered Building Sewer Contractor.

(3) A permit which authorizes building sewer work on private property only may be issued to the owner of the property or to a Registered Building Sewer Contractor. For sewer line extensions, the permit shall require a Registered Building Sewer Contractor to connect the building to a public sewer through the normal opening of a wye, tee, or side sewer stub under the supervision of the Director. For building sewers as defined in Section 1.05 of this Code the owner may perform only that portion of the connection located on private property and not in public right-of-way or easement dedicated to the County.

(4) Building Sewer or Sewer Line Extension Permits shall not be transferable. No authorized person, including any Registered

Building Sewer Contractor, shall lay any pipe pursuant to any other person's or contractor's permit.

(5) A Building Sewer or Sewer Line Extension Permit shall be issued prior to commencement of construction and only after approval of any required Sewer Facilities Plan by the Director and only after all applicable charges and fees have been paid by the owner or developer.

(6) No Building Sewer Permit allowing connection to the public sewer shall be issued before the main sewer is accepted by the Director, and the property owner so notified. An interim permit allowing building sewer construction without connection to a non-operational public sewer may be issued at the discretion of the Director.

(7) The Permit card must be posted on the job prior to commencing the work and must be readily accessible to the Director.

(8) As a precondition to issuance of a permit the property owner or developer performing any of the sewer system actions described in or required by the Sections of this Code shall be required to submit a document which will indemnify or hold harmless the County during the performance of any such actions against any damage to personal or public property or personal injury caused by the performance of such actions in a form acceptable to the Director. In addition the Owner or developer shall provide a warranty of all materials and workmanship used in connection with any such actions for a minimum period of one (1) year from the date of acceptance of said actions by the Director.

(9) As a precondition to issuance of a permit, any owner or developer who constructs any sewer facilities pursuant to the Sections of this Code shall furnish to the County a Performance Bond between the owner/contractor and the County in a form acceptable to the Department of Public Works.

(10) As a precondition to issuance of a permit, any owner or developer who constructs any sewer facilities pursuant to the Sections of this Code shall secure and maintain for the period of time from the issuance of a Building Sewer or Sewer Line Extension Permit, "Start Work Order" or other written authorization to construct sewer facilities until the County accepts and/or approves of said sewer facilities or for a longer period of time as determined by the Director, insurance coverage in a form and amount acceptable to the Department of Public Works.

ARTICLE 7
ASSESSMENT - DEPOSITS - CHARGES

7.01 -ASSESSMENT CHARGE. Property or portions thereof receiving permanent sanitary sewer through the formation of a Utility Local Improvement District shall be required to pay an assessment based on R.C.W. 36.94.220-.300.

7.02 - EXCEPTIONS TO MODE OF ASSESSMENT. When special conditions or circumstances exist, the Director may allow deviations from the mode of assessment prescribed in this Code provided that:

said deviation is consistent for all properties within a service area; and, said deviation and resulting mode of assessment is specifically defined in a County Sewer Systems Contract or resolution/ordinance adopting the formation of a ULID.

7.03 - CONNECTION TO EXISTING SEWER FACILITIES. Properties, or portions thereof, which heretofore were not entitled to sewer service by reason of not either having been subject to a sewer assessment or connection charge of the County or otherwise qualifying for or being required to connect to but,. where surrounding or contiguous existing facilities and capacity are now available, may be connected to the public sewers and served thereby, provided that prior to obtaining said service the property owner pays to the County in addition to any other charges which may be due, an amount of money which shall constitute a Connection Charge and which may be determined and paid in the manner prescribed under this Code and provided the owner of said properties enters into a County Sewer Systems Contract with the County. The connection charge shall be paid in full prior to the issuance of building permits.

7.04 CONNECTION CHARGE. Property or portions thereof receiving permanent sanitary sewer service through connection to an existing Utility Local Improvement District, or by the extension of or connection to any permanent wastewater facilities owned or operated by the County, shall be required to pay a Connection Charge as established by the Department of Public Works and approved by resolution of the Board of County Commissioners. Such charge shall reflect an apportionment to the connector of a pro rata portion of the capital cost of installation of the permanent sewer system, the anticipated volume of the sewage to be added to the system by the connector, the additional capital costs incurred by the system as a result of the connection and the actual cost incurred by the system for the connection.

7.05 CONNECTION CHARGE - INSTALLMENT PAYMENT. In lieu of immediate payment of the connection charge the owner may enter into a written installment contract with the county on a form approved by the Prosecuting Attorney and signed for by the Director. Such contract shall include or incorporate the legal description of the property. be signed by the owner and provide for the property owner to pay his or her connection charge as specified in the contract over a term not to exceed five years in annual installments or as may be provided in the contract, PROVIDED, the property owner prepays at least 10% of the connection charge. Such contract shall provide for interest to be paid at an annual rate to be equal to the prime lending rate for the Seattle Metropolitan area at the time the contract was entered into. Such interest shall be computed and compounded annually on the unpaid balance. The Board may by special resolution and upon a showing of a compelling need approve a request for exceptions to the installment payment schedule set out above.

Either contract shall provide that the property owner may at any time pay off said contract without penalty and shall provide that upon any sale, transfer of ownership, subdivision or change by the owner of land use of the property the contract shall become due and be paid in full. Such contract shall be filed by the Director with the County Auditor. Delinquent payments under such installment contract shall be subject to a penalty of 10% of the amount due and shall be a lien upon the described property enforceable in accordance with RCW 36.94.150. Upon full payment of the contract the Director or his designee shall execute, record and mail to such property owner a release of such lien.

7.06 FAILURE TO PAY SYSTEM CONNECTION CHARGE. In addition to any other remedies for failure to pay the System Connection charge, the Director may suspend, revoke or deny development permits required by the county.

7.07 - BUILDING SEWER PERMIT FEE. At the time a Building Sewer Permit is issued, the owner shall pay to the County a Permit Fee to offset all County costs associated with the inspection and testing of the sewer line. The amount of the Building Sewer Permit Fee shall be set by Resolution of the Board of Commissioners.

7.08 SEWER LINE EXTENSION FEE. At the time a Sewer Line Extension Permit is issued, the owner shall pay to the County a Permit Fee to offset all County costs associated with the inspection and testing of the sewer line. The amount of the Sewer Line Extension Permit Fee shall established by Resolution of the Board of Commissioners.

7.09 - PLAN REVIEW AND INSPECTION FEE. Owners or developers submitting Sewer Facilities Plan(s) to the Department of Public Works shall pay at the time of submitting said Plan(s) to the Department, a Plan Review and Inspection Fee as established by Resolution of the Board of Commissioners. The Department of Public Works shall not accept for review any such plans, nor issue any Building Sewer Permits nor in any manner approve of the commencement of construction until said minimum Plan Review and Inspection Fee is paid. Additional costs incurred by the County over and above the minimum fee will be charged to the owner or developer on a time and materials basis. All additional fees must be paid in full prior to the County approving and allowing the use of the sewer facilities.

7.10 - BUILDING SEWER RETURN INSPECTION FEE. If circumstances or conditions require return inspection(s) of completed building sewers, appurtenances thereto and/or connections thereof to the public sewer system, the owners or developers requesting a return inspection shall pay to the County a fee for each return inspection as established by Resolution of the Board of Commissioners.

7.11. SERVICE CHARGES. The Director is authorized to propose monthly service fees for use of sewage facilities owned by Pacific

County or by ULIDs to cover the cost of operation and maintenance of the facilities. The service charge will be set by Resolution of the Board of County Commissioners.

7.12 COMMENCEMENT OF SERVICE CHARGES. The charges set forth as prescribed in the most current Pacific County Department of Public Works "Monthly Sewer Service Charges" for properties or buildings to which sewer service is available shall commence sixty (60) days after such sewer service becomes available and formal notice of such availability is given to the owner of record, or upon connection to such sewer facilities, whichever occurs first.

7.13 - DURATION OF SERVICE CHARGES. Service charges once imposed on any property or building shall continue until the serviced building is demolished, torn down, removed or no longer in existence for any reason, or unless it can be shown by affidavit that the building could not be serviced because of lack of water. Disconnection from the sanitary sewer system shall be in accordance with the requirements of this Code.

7.14 - ENFORCEMENT OF COLLECTION OF DELINQUENT SERVICE CHARGES. Charges for sewer service to properties to which such service is available become delinquent if not paid twenty five (25) days after the billing date. The Department of Public Works shall certify all delinquent charges and penalties and interest thereon to the County Assessor/Treasurer when such charges have been delinquent for sixty (60) days and may so certify such delinquencies at an earlier time. Upon such certification, such charges, penalties and interest shall become a lien on such property and shall be enforceable as provided in Title 36, Chapter 94, Revised Code of Washington.

7.15 - PENALTY AND INTEREST ON DELINQUENT SERVICE CHARGE. If sewer charges due are not paid within the twenty five (25) days as set forth in Section 7.14 of this Code, then there shall be added to the charges ten (10) percent of the billed amount as a penalty for late payment, and interest shall commence to accrue on such unpaid charges at an eight (8) percent per year rate. A partial payment of any past due charge shall be applied first towards the accrued interest, then the penalty and finally on the delinquent service charge.

7.16 - BILLINGS - TO WHOM MAILED. Billings shall be mailed to the owner of record (noted as the taxpayer on the County Assessor/Treasurer's real property assessment roll) of the property on which the structure so served is located so far as the County may reasonably ascertain the same. Failure to receive such bills shall not relieve any person liable therefor from the obligation to pay the same or from paying penalty and interest charges, nor the property receiving such service, or capable of receiving such service, from such lien therefor as may thereafter attach to the property in the manner provided by Law.

7.17 - EXCESS B.O.D. OR SUSPENDED SOLIDS CHARGES. Owners/developers discharging wastewater flows with S.S. and/or BOD strengths greater than 225 mg/l or 225 mg/l respectively shall be required to pay additional Treatment Plant Capacity Charges which shall be established by Resolution of the Board of Commissioners.

7.18 - DISCHARGE OF SEPTIC TANK CONTENTS -- CHARGES AND REPORT.

(1) Any Owner or Contractor electing to discharge into the County Sewer System the contents of any sewage holding tank(s), septic tank(s), cesspool(s) or chemical toilet(s) in compliance with this Code shall pay to the County a Septic Tank Discharge Fee as established by Resolution of the Board of Commissioners. The point of discharge must be approved by the Director prior to any discharge.

(2) Payments due the County as a result of said charges shall be combined with a monthly report, properly sworn to before a Notary Public, to be filed with the Director at the end of each month's business by the owner/contractor and shall contain the following information:

1. Date of report.
2. Number and type of loads discharged into sewer system
3. The following data on each load:
   a. The name and address indicating where the material was obtained.
   b. Trunk number and rated capacity of tank.
   c. County Utility approved discharge point.
   d. Date and hour of discharge into sewer.
4. Signature.
5. Affidavit and Notary Seal.
6. Check in the amount of minimum charge plus the additional charges for excess tank capacity for total number of loads.

(3) Each owner/contractor shall record a certified list of truck tank capacities by truck number with the Director prior to any discharge and/or use of the County Sewer System.

7.19 - CHANGED CONDITIONS - INCREASED WASTEWATER FLOWS, BOD OR S.S. The County shall have the right to charge an owner of a parcel of property already connected to the County sewer system an additional connection charge and increase the monthly sewer service charge if:

1. Wastewater flows disposed of into the County sewer system have increased above originally paid for flows.
2. BOD and/or S.S. are found to be greater than 225 mg/l and 225 mg/l respectively.

ARTICLE 8
UNLAWFUL USE OF PUBLIC AND PRIVATE SANITARY SEWER SYSTEMS

8.01 - UNLAWFUL WASTEWATER DISPOSAL FACILITIES. Except as

hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other sewage holding facility intended or used for the disposal of wastewater within the boundaries of a ULID or other area where sewers are available except as permitted by this Ordinance. This does not include portable privies or other temporary wastewater disposal systems, such as those used at construction sites.

8.02 - UNLAWFUL DEPOSIT OF WASTE.

(1) It shall be unlawful for any person to place, deposit or permit to be deposited in an unapproved and unacceptable manner into the County sanitary sewer system any human excrement, garbage, and/or other unlawful wastes except in accordance with this Code. Unlawful waste includes those wastes described in the most current Pacific County Department of Public Works "Unlawful Wastes and Pretreatment Requirements".

(2) Unlawful waste, under no conditions, shall be discharged into or be placed where it might find its way into, or be allowed to run, leak, leach or escape into any part of the sanitary sewer system.

8.03 - UNLAWFUL DISCHARGE OF STORM AND OTHER WATERS INTO SEWERS. No person shall discharge or cause to be discharged any storm drainage water, surface water, roof runoff, or subsurface drainage into the sanitary sewer system. Persons discharging swimming pool water, unpolluted cooling water, or unpolluted industrial cooling or process water into the sanitary sewer system shall be charged commercial sewer service rates based on flow, BOD and suspended solids.

8.04 - LIMITATIONS ON DISCHARGE LOCATIONS. No person or entity shall discharge any unlawful substance directly into a manhole or other opening in the public sewer system other than through an approved building sewer without the written authorization of the Director in compliance with this Administrative Code, nor until said person or entity has paid all applicable charges and fees and has met any other conditions required by this Administrative Code and the Director.

8.05 - UNLAWFUL DAMAGE TO SEWER FACILITIES. It shall be unlawful for any unauthorized person to maliciously or willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or piece of equipment which is part of the County sewer facilities by throwing, dumping, discharging or otherwise introducing any dirt, rocks, sticks, debris, other foreign matter or any other matter prohibited by this Code into the County sewer system.

8.06 - DISCHARGE OF SEPTIC TANK CONTENTS.

(1) It shall be unlawful for anyone to discharge the contents of any septic tank, cesspool, chemical toilet, or sewage holding tank into the sewer system of Pacific County except in accordance

with the provisions of this Code.

(2) The Director shall designate in writing the particular locations where the contents of septic tanks, cesspools, chemical toilets, or sewage holding tanks may be discharged into public sewer systems, and the manner in which said contents shall be discharged into the County sewer system.

(3) No matter prohibited from sewers by this Code shall be permitted to be discharged under this section.

8.07 - FAILURE TO CONNECT OR REPAIR BUILDING SEWER AND SEWER LINE EXTENSIONS.

(1) If any connection to or repair of a public sewer is not made within the time and in the manner provided in this Code, the Director may forthwith cause to be placed a recorded notice against the property that no new buildings, remodeling or change in ownership will be allowed until the connection or repairs of all sanitary sewer facilities are made. Said notice shall be recorded by the Director with the Pacific County Auditor.

(2) If at this time or after a reasonable period so determined by the Director, connection of or repairs to the building sewer or sewer line extension remain to be completed and the Director has exhausted the means or methods available to the Director to make said connections or repairs as prescribed in this Code, the County may upon authorization of the Director make said connections or repairs for and at the total expense of the owner or developer provided the Director takes the following steps:

1. Notifies the owner or developer that the connections or repairs are delinquent pursuant to the provisions of this Code and informs said owner or developer that the County intends to make said connections or repairs itself and,
2. Notifies the owner or developer that the County shall charge said owner or developer for all costs associated with said connections or repairs including, but not limited to, all construction or repair costs and any other applicable costs which would normally be incurred by said owner or developer pursuant to the provisions of this Code, and,
3. Notifies the owner or developer that any failure to reimburse the County for said costs shall result in the County filing a lien upon the property as provided for in Title 36, Chapter 94, Revised Code of Washington in the amount of said unpaid cost plus interest and plus any applicable penalties.

8.08 - UNLAWFUL CONNECTIONS TO OR DISTURBANCES OF PUBLIC SEWERS. Any person who makes or causes to be made any connection to, opening into, use, alteration and/or disturbance of the public sewers of the County without receiving a permit authorizing such a connection and/or use, alteration, etc., and executing the required County Sewer Systems Contract provided by the County before such

connection, shall be subject to the provisions set forth in this Code.

8.09 - DISCONNECTION OF BUILDING SEWER AND SEWER LINE EXTENSIONS. No structure may be disconnected from a building sewer and no building sewer may be disconnected from a public sewer for any reason without prior written notification to, and approval by the Director. No approval shall be given unless the disconnection is lawful under this Code and other applicable laws, and satisfactory protection is given by the owner or his contractor to the public sewers of the County including, but not limited to, the satisfactory capping of the building sewer. Sewer service charges for any structure disconnected or to be disconnected shall continue until such disconnection is approved by the County and the building sewer capped and otherwise protected to the satisfaction of the Director

8.10 - BUILDING SEWER FOR EACH BUILDING - EXCEPTIONS. A single building sewer shall be provided for each building unless the connection of more than one building to a single building sewer is approved in writing by the Director prior to the construction of such building sewer. No more than one multiple dwelling, industrial, or commercial building shall be connected to a single building sewer, unless otherwise approved in writing by the Director.

ARTICLE 9 - ENFORCEMENT

9.01 - NOTICE OF VIOLATION. Any person or commercial entity found to be violating any provision of this Code shall be served by the County with written notice stating the nature of the violation and providing a time limit for the satisfactory correction thereof. The violator of this Code shall, within the period of time stated in such notice, permanently cease all violation and make all necessary corrections.

9.02 - APPEAL PROCESS. The person or commercial entity may file a written notice of appeal of the notice of violation issued by the Department. Such appeal must be filed within thirty (30) days after the owner receives notice of the violation. The violation notice will not be enforced until the Board of Commissioners or its delegee meets, hears the appeal, and renders its decision thereon. The hearing shall be held not less than ten (10) days or more than forty-five (45) days after the date of the filing of objections. No less than seven (7) days prior to the date set for the hearing, notice of the hearing date will be given to the owner. The decision of the Board of Commissioners or its delegee is final and no appeal may be taken therefrom except as provided by law.

9.03 - CIVIL LIABILITY TO COUNTY. Any person or commercial entity who shall violate any provision of this Code shall be liable to the County for any penalty or fine; plus the expense, loss,

damage, cost of inspection or cost of correction incurred by the County by reason of such violation, including any expenses incurred by the County in collecting from such person or commercial entity any penalty, fine, loss, damage, expense, cost of inspection or cost of correction.

9.04 - CONTINUED VIOLATION - PENALTY. Any person or commercial entity who shall continue any violation beyond the time limit provided for in the notice of violation or in the hearing order on appeal, shall in addition to the items of expense provided in this Code, become liable to the County for a penalty in the amount of ten (10) percent of such expense items, together with interest thereon at a current rate determined by the County Treasurer from the date of the time limit.

9.05 - LIEN. In the event that any person, or commercial entity fails to pay any fee or charge as set forth in this code within sixty (60) days after the same is billed by the County, the unpaid balance plus interest shall become and remain a lien against the property.

9.06 - LIEN ATTACHMENT. The Director shall certify periodically the delinquencies to the Pacific County Assessor/Treasurer at which time the lien shall attach.

9.07 - LIEN INTEREST. The lien shall be for all charges and interest at the current rate to be determined by the Pacific County Assessor/Treasurer to be applied from the date due until paid, and shall attach to the premises to which the services were furnished.

9.08 - LIEN FORECLOSURE. Upon the expiration of sixty (60) days after the attachment of the lien herein, the County may bring suit in foreclosure by civil action in the Pacific County Superior Court.

9.09 - CRIMINAL PENALTY. Any person or commercial entity who willfully violates any of the terms or conditions of this Code shall be guilty of a misdemeanor, and on conviction thereof, shall be subject to a fine of not more than $1,000 for each occurrence.

9.10 - VALIDITY - SEVERABILITY. The invalidity of any section, subsection, clause, sentence or provisions of this Code shall not affect the validity of any part of this Code which can be given effect without such part or parts.

ORDINANCE NO. 130

PASSED and ADOPTED by the Board of Pacific County Commissioners this 27th day of May, 1993.

2 Ayes; 0 Nays; 0 Abstain; 1 Absent

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Chairperson

Jon C. Kaino Jr.
Commissioner

Robert M. Nelson
Commissioner

ATTEST:

Geraldine R. Neiburg
Clerk of the Board

APPROVED AS TO FORM:

Bruce Dammeier
Deputy Prosecuting Attorney